

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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DONALD MONTGOMERY,
ANDREW CARTER, LOIS REID,
KARL BECHLER, and "M.M.,"
as individuals, and on
behalf of all other persons
similarly situated,

Plaintiffs,

**DECLARATION OF
Helene deReeder**

14-cv-06709-CJS

vs.

ANDREW M. CUOMO, Governor of the State
of New York; ANN MARIE T. SULLIVAN,
Commissioner of the New York State Office
of Mental Health; MICHAEL C. GREEN,
Executive Deputy Commissioner of the
New York State Division of Criminal Justice Services;
JOSEPH A. D'AMICO, Superintendent of the
New York State Police; VINCENT F. DEMARCO,
Suffolk County Sheriff's Department; and
EASTERN LONG ISLAND HOSPITAL,

Defendants.
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Helene deReeder, RN, MSN, declares pursuant to 28 U.S.C. Section 1746 under penalty of perjury as follows:

1. I am the Director of Behavioral Services for Eastern Long Island Hospital located at 201 Manor Place, Greenport, New York 11944 which is located within the County of Suffolk. I respectfully submit this declaration in support of the motion of Eastern Long Island Hospital to dismiss Plaintiff's Amended Complaint. I have personal knowledge of the matters set forth herein.
2. On May 23, 2014, the plaintiff Donald Montgomery was admitted to Eastern Long Island Hospital by a private attending physician as an involuntary admission under Section 9.39 of the Mental Hygiene Law. Section 7.09 of the Mental Hygiene Law requires the reporting of

the names and other non clinical identifying information of persons who have been involuntarily committed to a hospital pursuant to article nine of the Mental Hygiene Law. Accordingly, I submitted certain information as required by Section 7.09 of the Mental Hygiene Law on a NICS Reporting Form through the New York State Department of Health portal.

3. Annexed as Exhibit 1 is a copy of a NICS reporting form. NICS is the acronym for the National Instant Criminal Background Check System which responds to queries regarding attempts to purchase or otherwise take possession of firearms. I attempted to print a copy of the NICS reporting form I submitted, but was not able. I was only able to print out the copy annexed as Exhibit 1 which does not contain the specific data I entered. However, the data I entered did not include any personal health information or any mental health diagnosis.

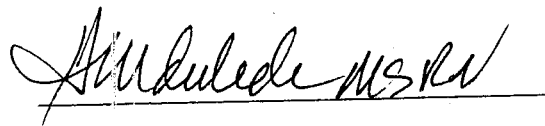
4. I submitted the required NICS reporting form for plaintiff's May 23, 2014 Section 9.39 admission through the Department of Health portal one time only.

5. I did not submit or transmit any other report concerning plaintiff's May 23, 2014 admission to any other state department, office or entity including the New York State Police Department or the Suffolk County Sheriff's Department.

6. Neither I nor the hospital transmitted any form pursuant to Mental Hygiene Law Section 9.46 through an on-line computer program referred to in plaintiff's amended complaint as the "Integrated SAFE Act Reporting System" ("ISARS").

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 19, 2015
Greenport, New York

A handwritten signature in black ink, appearing to read "Abdul MSK", is written over a horizontal line.